



# 2004-05 Brownfield Site Assessment Grant Application Instructions

PUB-RR-678

September, 2004

*This document includes the instructions for completing an application for the Brownfields Site Assessment Grant (SAG) program. Applicants should refer to this document when completing the SAG application, "Form 4400-217".*

## New for Round 6!

There are several changes to the Site Assessment Grant program that will impact the 6<sup>th</sup> round of grants (2004-2005). In 2004, the regulations for the program, chapter NR 168, Wisconsin Administrative Code, were revised resulting in a number of modifications and clarifications to the program requirements and scoring system. The purposes of these changes are three-fold: 1) clarification for consistency with statutory changes; 2) clarification of grant guidelines; and 3) a revised scoring process to emphasize environmental and community priorities. The beginning of this instruction document describes the important changes to the program due to the rule changes. New or modified areas are highlighted throughout the instructions.

## Summary of Changes to Ch. NR 168, Wis. Adm. Code

- **Changed allocation between large and small grants** – The allocation between large and small grants was changed so that now 40% of the total funds available will be allocated for large grants (\$30,001 to \$100,000) and 60% of the funds will be allocated for small grants (\$2,000 to \$30,000).
- **Matching funds can be provided by any local government** – As in the past, the program requires that matching funds be provided if a grant is awarded. Matching funds can now be provided by any local government, not just the applicant.
- **No Investigation Money for PECFA sites** - An applicant may not be awarded a grant to pay for site investigation costs if they would qualify for funding under the Petroleum Environmental Cleanup Fund (PECFA). PECFA eligible sites can obtain SAG funding for the other eligible activities including, tank removals or Phase II environmental site assessments.
- **Access required 60 days after award** – Applicants must obtain legal access to the site or facility within 60 days of the grant award date. Under the previous rules, this time period was 90 days.
- **Modified criteria for authorizing resolution** – As in the past, applicants must include a resolution that commits the local government to completing the grant activities. The rule changes clarify exactly what a resolution must include to be acceptable. If a resolution does



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P.O. Box 7921, Madison, WI 53707-7921



not meet these criteria the application will be deemed incomplete and a grant will not be awarded to that project. See page 18 for a list of the requirements for the resolution.

- **Authorizing resolution can be submitted after application due date** – An application can be considered complete if the authorizing resolution is submitted to the DNR no later than 30 days after the application due date.
- **New Definition of Past Costs** - Applicant can still earn points for past costs, but there is a new definition of what past costs will qualify for points:
  - Costs must have been incurred after January 1, 1990.
  - Costs are acceptable if incurred by applicant or any local governmental unit.
  - Only grant-eligible activities count as past costs. Activities eligible as match (acquisition costs, cancellation of delinquent taxes, maintenance and security, and remediation) no longer count as past costs for scoring.
  - Costs that were pledged as match for previous SAG awards do not count as past costs for subsequent applications.
  - Costs that have been or will be reimbursed by any local, state, or federal grant program or other funding programs such as the Agricultural Chemical Cleanup Program (ACCP), PECFA, or the Dry Cleaner Environmental Response program will no longer qualify as “past costs”.

## Contacts

- Contact the following DNR staff if you have questions about specific sites.

### NORTHERN REGION

John Sager  
(715) 623-4190 ext 3125  
john.sager@dnr.state.wi.us

### NORTHEAST REGION

Kathy Erdmann  
(920) 492-5798  
kathryn.erdmann@dnr.state.wi.us

### SOUTH CENTRAL REGION

Mike Schmoller  
(608) 275-3303  
michael.schmoller@dnr.state.wi.us

### SOUTHEAST REGION

Margaret Brunette  
(414) 263-8557  
margaret.brunette@dnr.state.wi.us

### WEST CENTRAL REGION

Loren Brumberg  
(715) 839-3770  
loren.brumberg@dnr.state.wi.us

- If you have general questions about the Site Assessment Grant Program, please contact Michael Prager (608-261-4927 or michael.prager@dnr.state.wi.us) or Dan Kolberg (608-267-7500 or dan.kolberg@dnr.state.wi.us).
- Additional copies of this and other fact sheets, application forms, regulations, statutes and other relevant publications can be obtained on the Remediation and Redevelopment web site at: <http://dnr.wi.gov/org/aw/rr>

## Revised Application Scoring System

The changes to Chapter NR 168 have modified the scoring system used to rank grant applications. The new scoring system is described in the table below. The left-hand column provides a reference to where (section and question numbers) the scoring criteria are located on the application form. The maximum possible score is 149 points.

Question	Criteria	Points
Section 5: 1 & 4	Local government has title to site or facility (20 points) or local government has initiated formal acquisition process (10 points)	10 or 20
3	The site or facility is currently tax delinquent or was tax delinquent at the time it was acquired by a local governmental unit or other party	5
8	Site or facility is vacant or abandoned at the time the application is submitted.	10
10	Site or facility is located within 500 feet of a school, park or residence	15
11	Site or facility is located within a source water protection area or within 600 feet of private well	15
12	Site or facility will be used by the general public and owned by a local governmental unit or non profit organization	5
13	The eligible site or facility has contamination or hazards either of which is readily accessible to the public or there is a hazard or contamination at the site or facility and the applicant has taken action to limit access to the hazard or contamination	15
Section 6: 1	Past Costs - Five points shall be awarded if \$2,000 or more in past costs were incurred. In addition, one point shall be awarded for every \$3,000 in past costs up to 10 points. For example, if there was a \$30,000 grant request and there was \$30,000 in past costs, then the application would earn the maximum 15 points (5 + 10). <i>See new definition of past costs on page 2.</i>	5 for over \$2000 in past costs + 1 for each \$3,000 in past costs. (Max 15 points total)
3	Excess Match - Points awarded for additional pledged matching funds beyond minimum 20%.	1 point for each additional 4% (20 points max)
4	Bonus Points - One time bonus points for large and small applications.	29
	<b>Total</b>	<b>149</b>

## General Application Submittal Instructions

- A separate application must be submitted for each grant request.
- If an applicant is applying for a single grant to cover activities at multiple, contiguous properties, you will need to:
  - Complete pages 1, 4, 5 and 6 only once for the entire grant request. Fill out pages 2 and 3 for each separate property in the multi-site application. (For example, if there are 3 properties, fill out pages 2 and 3 three separate times.)
  - Attach one cover letter to the application that explains that this is a single grant request for activities at multiple, contiguous properties. List the multiple properties that the application packet covers.
  - In section 2, question 2, indicate that this is a request for multiple properties. Write in the number of properties included in the application.
- An application must be complete, including all necessary information and attachments, in order to be processed. Incomplete applications will not be processed. ***New Exception: The signed resolution adopted by the governing body of applicant does not need to be submitted with the application but it must be submitted no later than 30 days after the application deadline. If after 30 days of the due date, DNR does not receive the resolution, the application would be considered incomplete.***
- **DUE DATE: November 12, 2004**  
Applications must be postmarked and mailed by this date to the Department of Natural Resources. Send the original application and one additional copy to the address below.

BF SAG MANAGER – RR/3  
DNR BUREAU FOR REMEDIATION & REDEVELOPMENT  
PO BOX 7921  
MADISON WI 53707-7921

## Grant Program Basics

- \$1.7 million is available.
- Large and small applications are both due on November 12, 2004.
- Contiguous properties with multiple owners may be submitted as a single grant application.
- The application form (Form 4400-217) is revised and improved for this round. Do not use forms or instructions from past rounds.
- Section 292.75, Wis. Stats., and chapter NR 168, Wis. Adm. Code include the SAG program requirements. Note: Because the final rule changes had not been published at the time this application was made available, the rule available on the legislative website may not be the current version being used to implement this program. A copy of the rule changes are available from the DNR here: [http://dnr.wi.gov/org/aw/rr/wi\\_regs/](http://dnr.wi.gov/org/aw/rr/wi_regs/)  
The revised rule takes effect on October 1, 2004 and will be available on the legislature's website (<http://www.legis.state.wi.us/rsb/code/>) at that time.

- An applicant can submit both a large and a small grant application for the same site or facility. However, only one grant per site or facility can be awarded in any one grant round. Local governments may apply for additional grant awards for the same site in future grant rounds. One local government can submit grant applications for and receive grants for more than one site during the application round.

### **Site Eligibility**

Site Assessment Grants can only be used at one or more industrial or commercial facilities or sites with common or multiple ownership that are abandoned, idle, or underused, the expansion or redevelopment of which is adversely affected by actual or perceived environmental contamination.

- ***NEW DEFINITION!*** “Environmental contamination” means a hazardous substance that has been discharged into the air, land, or water of the state. Examples of environmental contamination include petroleum-contaminated soil from a leaking underground storage tank. Typically, lead-based paint or asbestos inside a building would not be considered environmental contamination. As a result, properties with only these conditions and no other environmental contamination would not be eligible for a grant.
- If there is not confirmed environmental contamination at the site, the applicant must provide information that there is a reasonable basis to conclude that there is perceived environmental contamination.

### **Why is the scoring process important?**

- If sufficient funds are available, the Department will fund all complete, eligible applications without scoring them. If not, the Department will score the complete, eligible applications and award grants beginning with those with the highest score, for small and large categories.
- If two or more applications receive the same score, applications requesting the smaller grant amount will be funded first.

### **Matching Funds**

- A grantee must contribute a match of at least 20% of the grant amount. For example, a grant award of \$20,000 would require a minimum local match of \$4,000. The local match can be provided in the form of cash, in-kind services, or a combination of both. Please note that forgiveness of delinquent real estate taxes can count as match only if the taxes are forgiven during the grant period.

## **Notice to Local Governments**

A local governmental unit (LGU) should understand that the act of applying for or accepting a Brownfield Site Assessment Grant award does not create an environmental responsibility or liability for the LGU at the property under state law. A local government with questions about environmental liability should contact its local DNR contact, identified on page 2, for assistance.

## Detailed Application Instructions

**Please follow these instructions to fill out the 2004-05 Site Assessment Grant Application (Form 4400-217). Instructions are organized by the application page number, section number, and question number.**

**NEW!** - An individual grant request that includes multiple contiguous properties must complete pages 1, 4, 5 and 6 only one time for the entire grant request. A separate copy of pages 2 and 3 must be completed for each property included in the grant request. Each property included in the multi-site grant request will be evaluated individually to determine eligibility and points. Please contact the regional DNR staff if you have questions about how to complete an application that includes multiple contiguous properties.

### Application Page 1

#### Grant Request

- Check the box at the top of the page to indicate whether the application is for a large grant or a small grant, based on the amount of funding that is requested.

#### Section 1: Applicant Information

- *Applicant* refers to the local governmental unit that will pay for and receive reimbursement for the eligible activities described in the grant application.
  - Local governmental units and tribes are eligible to apply for funding under the SAG program. An eligible applicant is any local governmental unit, including redevelopment authorities created under s. 66.1333, Wis. Stats., and housing and community development authorities created under s. 66.1335, Wis. Stats.
- An *authorized representative* is the person who must sign all grant-related documents for the applicant, including the application, the grant contract and payment requests. Please note that the authorized representative must be a public official or public employee of the applicant; it cannot be an environmental consultant, or other private party.
- The *contact person* is the person that handles the daily activities associated with the grant, and is available during regular working hours. He/she may be the same person as the authorized representative.
- If additional consulting firms or contractors will be used, include that information on an attached sheet, along with the grant activities that they will perform.

## Section 2: General Project Information

### Question 1

- Provide a unique name for this project. This may be different than the name of the site or facility.
  - For example, the project name may be Acme Riverfront Redevelopment Site or ABC Office Park whereas the site or facility name may be the former XYZ Foundry, Inc. This is especially important for applications that include multiple, contiguous properties.

### Question 2

- Generally, a property is a single parcel of land with the entire legal description found on one deed. Reminder; separate copies of pages 2 and 3 of the application must be submitted for each property included in the grant request. Failure to do so will result in the application being deemed incomplete.

### Question 3 (Attachment 1)

- Attachment 1 should include a description of the grant activities that will be conducted and the activities what will count towards the required matching funds. Also describe the goals of the project and plans for the future use of the property (if known).
- Activities eligible for the reimbursement from this grant program include:
  - Activities associated with conducting, documenting or completing a Phase I Environmental Site Assessment, a Phase II Environmental Site Assessment or a site investigation in accordance with ch. NR 716, Wis. Adm. Code. ***New Limitation:*** An applicant can not use this grant to pay for any site investigation costs if they would qualify for funding under the Petroleum Environmental Cleanup Fund Act (PECFA).
  - Demolition of any structures, buildings or other existing improvements.
  - Asbestos abatement activities that are a necessary part of demolition activities.
  - The removal, proper disposal and treatment of abandoned containers, including the removal, testing and disposal of the contents.
  - The removal and proper disposal or treatment of underground petroleum product or hazardous substance storage tanks, including the contents of the systems and the containers. This may also include soil that is excavated as a necessary part of removing the tank(s).

### Question 4

- In addition to checking each activity that will be conducted using the grant and matching funds, estimate the number of containers or tanks that will be removed. Also include the number of buildings, structures or site improvements (such as hydraulic lifts, old foundations, piping systems, large equipment or machinery, etc.) that will be removed or demolished using the grant or matching funds.

### Question 5 (Attachment 2)

Attachment 2 should include recent, dated photos of the property that show the conditions of structures and other improvements. If there is contamination or hazards that are accessible to the public (see Section 5, Question 13), applicants may wish to include photos of hazardous conditions and the public access to the property or actions taken to limit access. If the site has

“perceived”, but not confirmed environmental contamination, please include photos that may substantiate that the property is contaminated.

## **Application Page 2**

**NOTE** - For multiple contiguous property applications, fill out pages 2 & 3 of the application for each separate property. If the application is for more than one property, indicate on the top of this page the number of the property that this page is related to and how many properties are included in the grant request (For example, parcel #2 of 3).

### **Section 3: General Site or Facility Information**

- The information in this section describes the location, size, suspected or known potential sources of environmental contamination, and land uses in the past and present. This information is used to determine that the property meets the definition of an “eligible site or facility.”
- Please provide the number of the State Assembly District for the location of the site or facility, rather than the name of the representative of the district. To find the number you can either:
  - (1) Call the Wisconsin Legislative Hotline at 1-800-362-9472, or 1-800-228-2115 for the hearing impaired; or
  - (2) Access the “Who Are My Legislators?” page on the State of Wisconsin web site at: <http://www.legis.state.wi.us/waml>
- Select all of the known or suspected sources of environmental contamination and past uses of the property that apply. Indicate with a “K” or “S” next to each item whether the information on the sources of contamination and past uses is based on clear **known** (“K”) information or whether you are unsure but **suspect** (“S”) these existed.

### **Section 4: Site or Facility Information – Contamination and Its Causer**

- The DNR can award a grant only if the person or company who caused the environmental contamination that is the basis for the grant application is unknown, unable to be located, or financially unable to pay for the grant activities.
- The DNR may not award a grant to an applicant who caused the environmental contamination at the site or facility.
- The applicant shall verify that these eligibility criteria have been met. The DNR expects applicants to collect and provide to the department reasonably ascertainable information to determine whether the person or company who caused the environmental contamination is known, can be located, or is able to pay. ***The applicant must explain the efforts they made to obtain this information and document the factors and information they relied on to make their conclusions.*** Information about the types of environmental contamination at the site, and historic records of ownership, operation and land use are useful when answering questions in this section.



- If there is not sufficient information included with this application, the DNR may determine that application to be incomplete.
- The explanation and documentation provided regarding the environmental contamination and its causer should be included as **Attachment 3**.
- If there is an operating business at the property, the applicant must provide sufficient information to conclude that the operating business did not cause the environmental contamination, or provide sufficient financial information to support the conclusion that the business is unable to pay for the grant activities. Generally, the DNR assumes an operating business has the ability to pay for the necessary environmental activities, unless compelling information is submitted to demonstrate otherwise.
- Please Note: In most cases, properties that were used as **public schools** would not be eligible for a grant if the environmental contamination resulted from the school's operations since the school district would likely be financially able to pay for the cost of the eligible activities and because schools are typically not considered commercial or industrial properties.

#### Questions 1 and 2

- Indicate any environmental assessment, investigation and remedial work previously conducted on the site or facility. Summarize the results of any previous environmental sampling.

#### Question 2c (Attachment 3)

- If no sampling data is available, please explain in Attachment 3 why environmental contamination is suspected. This would include a description of possible sources of contamination or their potential impact to the air, soil, or water. Please list historic uses of the property, provide photographs, or submit other information to substantiate this conclusion. The applicant may want to refer to “Known or Suspected Sources” and “Past Land Uses” on Section 3 on page 2 of the application to help answer this question.
- A property with no known or suspected environmental contamination is not eligible for a Site Assessment Grant. Applicants must include a detailed explanation why they believe there may be environmental contamination at a property in order to be eligible for a grant.
- Without additional information, it is generally insufficient to claim that a property has an unknown history, possible industrial uses, or that there are properties with known contamination sources near the site or facility that is the subject of the grant request. More detailed information must be provided.

#### Question 3

- If the local governmental unit applying for a grant caused the environmental contamination that is the basis for the grant request, they would not be eligible for a grant. General examples of situations when a local government would **not** be eligible include:
  - the local government owned, operated, or contributed to a waste disposal site or facility, such as a landfill; or
  - municipal properties or facilities where the local governmental unit caused the environmental contamination by the general operations of local government, such as

maintenance garages, leaking underground storage tanks, routine or one-time spills, discharges from salt storage, etc.

#### Questions 4 - 6

**IMPORTANT!** The applicant must provide sufficient information in Attachment 3 to demonstrate that the person who caused the environmental contamination that is the basis for the grant request is unknown, cannot be located or is financially unable to pay for the cost of eligible activities. If the information provided regarding the person or company who caused the environmental contamination is deemed insufficient by the DNR, the DNR may determine the application to be ineligible. Please contact the department if you have questions about this.

#### Question 4 (Attachment 3)

- If the applicant knows who may have caused the environmental contamination, indicate the name of the party or parties and explain how you concluded that they caused the contamination.
- If the applicant does not know who may have caused the environmental contamination, provide an explanation of what efforts were made to identify the party who caused the contamination. For example, please document if the applicant checked the registration of underground tanks, had a conversation with owner of business that operated at the site, searched for former owners at the register of deeds office, etc. If there are multiple parties who may have caused the contamination, please explain that in the attachment.

#### Question 5 (Attachment 3)

- If the applicant concludes that the person or company is known but unable to be located, describe the efforts made to locate the causer. Include documentation such as: return of a certified letter marked “undeliverable” that notes last known address, the results of a query on the existence of a corporation from the Department of Financial Institutions web page ([www.wdfi.org](http://www.wdfi.org)), notes from a phone conversation, or other documentation.

#### Question 6 (Attachment 3)

- If the person or company who caused the environmental contamination is known, able to be located, but it is the applicant’s conclusions that the responsible party is financially unable to pay, include documentation that supports this conclusion.
  - Examples of acceptable documentation include financial statements, credit check documentation, summary and number of a bankruptcy court case.
  - If the person who caused the environmental contamination is deceased, the estate may still be considered financially able to pay. Please summarize the situation and include whether the estate has been disbursed and a notation of the probate case number.
- If a company is suspected of causing the environmental contamination, a reasonable effort should be made to determine if the business is still in operation or able to pay. One way to discover information about incorporated businesses is by querying the Corporate Registration Information System (CRIS) database kept by the Wisconsin Department of Financial Institutions at <http://www.wdfi.org/corporations/crispix/>

***Cautionary Note:***

- If the party who caused the environmental contamination is an existing operating business, the DNR's experience has shown that it is extremely difficult to demonstrate that the causer does not have the financial ability to pay for the necessary environmental activities. However, there may be exceptions to this general rule. It would be the applicants responsibility to provide the DNR with sufficiently compelling information on why the currently operating business does not have the ability to pay.

**Application Page 3**

**NOTE** – For multiple contiguous property applications, fill out page 2 & 3 of the application for each separate property.

**Section 5: Scoring Information - Part 1**

*Each question in Section 5 and Section 6 lists the amount of points that can be earned for each scoring factor. The list of scoring factors with point values is included in the SAG program regulations, ch. NR 168, Wis. Adm. Code, and on page 3 of this instruction document.*

Question 1

- Check whether a local governmental unit, as defined in s. 292.75(1)(b), Wis. Stats., has title to the property. This can be a governmental unit other than the applicant.

Question 2

- Indicate how the local government acquired title to the site or facility.
- Please see the RR Program's Fact Sheets 7 and 8 (publications #RR-579 & #RR-627) for more information about local governments' responsibilities and liability protections at properties they acquire (available at: <http://dnr.wi.gov/org/aw/rr>).

Question 3 - New Scoring Criteria

- Applications will get 5 points if the site or facility is or was "tax delinquent". For purposes of the SAG program, a site or facility is considered "tax delinquent" if it is located on a parcel of real property that is included in a tax certificate, issued pursuant to s. 74.57, Stats. The points will be awarded if the answers to questions "a", "b" or "c" are "Yes". Check with the county treasure to determine the tax delinquent status of the property.

Question 3a

- If a local government owns the property, indicate whether the property was tax delinquent at the time it was acquired by the local government.

Question 3b

- Check yes if the property is currently tax delinquent.

Question 3c

- If the property is not currently tax delinquent and is privately owned, the application may still be awarded points if the current owner acquired the property after November 12, 1999 and the property was tax delinquent after November 12, 1999.

#### Question 3d

- If the property is or was tax delinquent, please provide the Tax Parcel Number(s) and the Tax Certificate Number of the property where the site or facility is located. The County Treasurer's offices should be able to provide this information. The DNR may use this information to confirm the answers to these questions.

#### Question 4

- If a local government does not currently own the property but has begun actions in order to acquire title, list the dates and formal actions the local governmental unit has taken to initiate the formal acquisition process. Examples of these actions include a resolution adopted by the City Council to condemn the property, an offer to purchase, or commencement of tax foreclosure proceedings.

#### Question 5

- Please Note: The applicant will need legal access to the property in order to conduct the environmental activities. If the applicant has not obtained access by the application submittal date, the LGU should secure access as soon as possible. The grant will require that access be obtained within 60 days from the notification that grant funds have been reserved.

#### Question 6

- Provide the name of the current titleholder of the property.

#### Question 7

- Include a brief list of all current uses of the site. For example, property is being leased for storage, municipal parking lot, currently operating as an auto repair business, etc.

#### Question 8 - *New Scoring Criteria*

- A site is generally considered vacant if it is not occupied or being used for any purpose. A site being used for parking or local government storage would not be vacant for purposes of this grant program. If part of a site is vacant but part of the site is being used it would not be considered vacant. If a property was recently vacant but is occupied at the time the application is submitted, it would not qualify for these points. A property that is privately owned can be considered vacant.

#### Question 9

- Indicate the length of time that the site or facility has been vacant.

#### Question 10 (Attachment 4) - *Modified Scoring Criteria*

- An application will qualify for these points if the site or facility is located within 500 feet of a school, residential property, or park (*NOTE: This distance is smaller than for previous rounds of grants*). To qualify for these points, the map included as Attachment 4 must have a clear scale that indicates the proximity of the site or facility to these types of properties. This map should include a circle indicating the 500 foot radius from the site or facility and clearly label any of the schools, parks or residences in that circle.

### Question 11 – New Scoring Criteria

Applications will earn additional points if the property is located in an area where contamination has the potential to impact drinking water wells that use groundwater. Applications qualify for 15 points if the correct answer is “Yes” to either question “a” or “b”.

#### Question 11a

Source water protection areas for every public well in Wisconsin have been identified and delineated by the DNR working in conjunction with other local, state and federal agencies. The size and shape of these protection areas vary based on the system type and the hydrogeologic conditions in the area. More information about the public and private wells and the DNR’s source water protection areas can be found on this webpage:

<http://dnr.wi.gov/org/water/dwg/>

The DNR maintains a Geographic Information System (GIS) with information regarding source water protection areas around public wells in Wisconsin. DNR staff will check this GIS to see if the site or facility is located within the area described in this question. Applicants have the option to check with DNR staff before you submit your application to see whether or not your site or facility is located within this area or to check “Unknown” on their application form and have DNR staff check this after the application is submitted. If you want to have DNR staff check this criteria before you apply, please contact one of the following people in the DNR’s Drinking and Groundwater program:

#### *Primary Contact:*

Andrew Selk  
andrew.selk@dnr.state.wi.us  
(608) 267-2376

#### *Second Contact:*

Amy Ihlenfeldt  
amy.ihlenfeldt@dnr.state.wi.us  
(608) 266-2955

To assist the DNR staff in checking your site or facility, we recommend you provide the GIS coordinates for the site or facility. One of the easiest methods to obtain coordinates for a specific location is to use the DNR’s GIS “WDNR WebView” which is available on the Internet:

<http://maps.dnr.state.wi.us/>

This interactive map allows you to find the coordinates for a specific location by:

1. zooming in on the location of the site or facility using the interactive map (a scale of at least 1:5000 works best);
2. click the white button that says “Identify”;
3. then click the relevant location on the map again, and the coordinates will appear beside the map.

You can then write down these coordinates and provide them to the DNR Drinking and Groundwater staff listed above so that they can determine if your site or facility is located within a source water protection area. The final determination regarding the earning of points for this criterion will be verified by DNR staff after the application is submitted.

#### Question 11b (Attachment 4)

Applicants should check whether or not the site or facility is located within 600 feet of a private water supply well. Only wells used for potable purposes (drinking water) should be included; wells used for industrial operations, agriculture, watering gardens, etc. would not qualify. An area map at a scale that shows the locations of wells and the site or facility must be submitted as *Attachment 4* to earn the points.

#### Question 12 - **Modified Scoring Criteria**

- An applicant is eligible for these points if the site or facility:
  - will be owned by an LGU or nonprofit; **and**
  - will be used by the general public.
- Include an explanation of how the site/facility will be used or redeveloped in **Attachment 1**.

#### Question 13

- This criterion requires a two-part finding. Sufficient explanation and evidence (e.g. photographs, sampling data, etc.) of both are needed for the points to be awarded. An explanation or evidence of this finding should be provided on the form or in **Attachment 5**.
  - (a) Information must be included to support the statement(s) that environmental contamination, a public health hazard, or both are present.
    - Include a summary of the environmental sampling and its results. If the applicant is relying on visual evidence of environmental contamination, please include information to substantiate that finding.
    - Examples of hazards include unsound structures, presence of abandoned containers with hazardous substances, or other situations supported by dated photos or an acceptable explanation.
  - (b) **Modified Scoring Criteria** The hazard or environmental contamination must be either:
    - readily accessible to the public (i.e. free or open to the public); or
    - present at the site and the local government took actions to limit public access to the hazardous conditions or the environmental contamination. Typical actions may include putting up a fence or locking and boarding up a building. If the local government has taken action to *remove* the hazardous condition or contamination (demolished a dangerous building, removed drums, etc.) that would not qualify for these points.
- If appropriate, an explanation of how the environmental contamination is *accessible to the public* should be included. Contaminated soil under a parking lot or groundwater contamination that *may* impact private wells would NOT be accessible to the public.
- In many cases, “a picture is worth a thousand words.” Recent, dated photographs that show the applicable condition or feature of the site are highly recommended. Provide current photographs to show the condition of the structures and improvements on the site and whether the site is readily accessible or secured to prevent entry. Photos should be included in **Attachment 2**.

#### **Application Page 4**

*Please Note: If this application is for multiple contiguous properties, the information provided for the match, past costs and budget on this page should apply to all properties that are included in the grant application.*

#### **Section 6: Scoring Information - Part 2**

##### Question 1 (**Attachment 6**)

- Past expenses for work at the site or facility will earn points if incurred by any local governmental unit after January 1, 1990 and they meet the definition of eligible costs. Please refer to list of expenditure categories on the bottom of the Past Cost Worksheet for a list of costs or in-kind services that would be eligible to be claimed as “past expenses”.
- Points will not be awarded for costs that will be or were reimbursed by a local, state or federal grant program or funding programs such as the Agricultural Chemical Cleanup Program (ACCP), PECFA, or the Dry Cleaner Environmental Response program. Also, points will not be awarded for costs pledged as matching funds for a Site Assessment Grant awarded in a prior cycle or paid for by non-governmental units.
- Five points will be awarded if more than \$2000 in costs have been incurred; in addition 1 point will be awarded for every \$3000 of expenses that was paid, up to 10 points. For example, if \$15,000 in eligible past costs were incurred, the application would receive a total of 10 points; 5 for the \$2000 and then 1 for each \$3,000 for 5 additional points (15,000 divided by 3,000 = 5). Points are only awarded for each full \$3,000 in costs that are incurred; amounts are not rounded up and fractional points are not awarded. A total of \$30,000 in past costs will earn the maximum 15 points.
- The total amount of past costs listed under Question 1 should be the same as the total past costs on the bottom of the Past Costs Worksheet in Section 7.
- Past costs can not be used as matching costs because matching costs must be incurred during the grant period.
- In order to receive points for past activities at the site, each eligible cost must be listed in the Past Cost Worksheet in Section 7 and supported by an itemized invoice marked “paid” or other acceptable documentation. One copy of paid invoices for all past expenses should be included as **Attachment 6**.
  - In-kind costs for employee labor should be supported by employee time sheets or vouchers that indicate the date, type of work, and amount of time that the employee spent conducting eligible activities at the site. The applicant must also indicate the hourly pay rate of the employee.

#### Question 2

- Match that is pledged in excess of the required 20.00% will be awarded 1 point for each additional 4.00% of match. Applicants should be aware that if a grant is awarded, the applicant will be required to provide any excess match that is pledged in the application for all reimbursement claims.
- A match of 100 percent will earn the maximum available 20 points. Reporting additional match over 100 percent is not necessary.
- For multiple contiguous parcels, use the percent match for the total project, not for each individual parcel.

#### Question 3

- Please see application for instructions.

## Section 7: Past Cost Worksheet

- In order to assist the applicant and the DNR to determine the amount of past costs that can be counted towards an application score, applicants must provide an itemized list of invoices or other documents provided to verify past costs incurred. Each invoice or other cost document provided in Attachment 6 should be listed on this table.
- The total amount of past costs to count for scoring for the SAG site listed on this table should be indicated in Section 6, Question 1.
- For each invoice, the applicant should indicate which of the 8 eligible expenditure categories best applies to the expenses. Additional pages may be submitted if necessary.

## Application Page 5

## Section 8: Proposed Budget

- Do not include any past expenses on either of these tables. Information about past costs should be listed under Section 6, Question 1 and Section 7 of the application.
- Matching costs must occur during the grant period – the 12-month period after both the applicant and the DNR have signed the grant agreement.
- Matching costs cannot be incurred by an individual or company.
- If tax cancellation occurs after the grant is signed (during the grant period), the amount of taxes canceled can be used as a matching cost. The total value of taxes canceled by a local governmental unit is applied on the date the tax cancellation is completed, regardless of how many years the property has been delinquent. For example, if a property has been tax delinquent for 10 years, but the tax cancellation occurs during the grant period, the tax amount for the 10 years of delinquency can be claimed as match.

### Proposed Budget Table

- This table records the breakdown of project costs by activity and identifies whether a cost is counted toward the **Grant Request** in Column A — or the **Match** in Column B.
- Lines 1 - 8: The activities listed are eligible for reimbursement or can be used as match.
- Line 9: The **Total Grant Request** is the sum of costs listed in Column A (Grant Request), lines 1 through 8. This is the total amount of money you are requesting from the DNR. For a small grant, the total sum of Column A must be more than \$2,000 but no more than \$30,000; for a large grant the sum total must be between \$30,001 and \$100,000.
- Line 14: In Column B (Match), list those costs or the value of in-kind services that the applicant will be conducting during the one-year grant period, if the grant is awarded. Add the costs in lines 1-8 and 10-13 of Column B to determine the **Total Match**.



- **Line 15:** The **Pledged Grant Match Percentage** is derived by dividing the **Total Match** (Column B, line 14) by the **Total Grant Request** (Column A, line 9). This percentage must be at least 20%. For example, the minimum 20% required match for a \$25,000 grant would be \$5,000. At each reimbursement request, the applicant will be responsible for the same percentage match as listed on line 15 of the table, unless the total match was provided in an earlier reimbursement request. This figure is also recorded in Question 2 in Section 6 of the application. A match of 100 percent will earn the maximum available 20 points. *Reporting additional match over 100 percent is not necessary.*

The following chart lists costs that are eligible or ineligible for reimbursement and match.

### Eligible Grant Activities and Match Costs

GRANT ACTIVITIES/ PAST COSTS		MATCH COSTS	
ELIGIBLE	INELIGIBLE	ELIGIBLE	INELIGIBLE
Abandoned Container Removal ✓ Containers ✓ Barrels ✓ Contents	Remedial Activities ✓ Remedial Action Option Plans ✓ Cleanup ✓ Pilot Tests	All Activities That Would Otherwise Be Eligible For SAG Funding (see first column of chart)	Costs That Have Occurred Or Will Occur Outside the Grant Period
Phase I & II Assessments, including Title Search*	Lead Survey	Property Acquisition	Other State or Federal Grant Funded Activities
Site Investigation Costs **	PECFA Eligible Site Investigation Costs **	Cancellation Of Property Taxes	Costs pledged as matching funds for a previous SAG award
Demolition Of ✓ Structures;*** ✓ Buildings; or ✓ Other Improvements	Administrative Costs ✓ Legal Fees ✓ Ordinary Operating Expenses	Remediation Activities	
Asbestos Abatement and Survey With Demolition	Asbestos Abatement or Survey Without Demolition	Site Maintenance and Security	
UST & AST Removal	Chs. NR 749 & 750, Permit and License Fees	Chs. NR 749 & 750, Review Fees	
Labor Costs Of Carrying Out Eligible Activities	Site Security and Maintenance	Eligible costs incurred by the applicant or another local governmental unit	
Lab Services	Capital Equipment		
Costs of Sampling, Handling, Disposal & Treatment of Materials Generated	Fines & Penalties	<b>KEY</b> * A Land Survey is eligible if approved by DNR. ** SI costs are not eligible for PECFA sites *** Includes Fences, Hydraulic Lifts, And Other Improvements.	
Services Performed By Employees of a Local Governmental Unit	Site costs incurred by a local governmental unit other than the applicant		

## Application Page 5 & 6

### Section 9: Additional Information

#### Questions 2

- You cannot receive a grant to pay for costs that have been or will be reimbursed by a local, state or federal grant program or funding programs such as the Agricultural Chemical Cleanup Program (ACCP), PECFA, or the Dry Cleaner Environmental Response program. Also, the matching funds required for this grant must be paid by the applicant or another local governmental unit and cannot be paid for or reimbursed by a grant or other funding program. Also, costs cannot qualify for points for past costs if those costs have been or will be reimbursed by another grant program.

Indicate on this table any other grant or funding programs (Commerce Brownfields Grants, EPA Revolving Loan Fund, PECFA, ACCP, etc.) for which someone has applied for this site. Indicate the name of the program (“type of funds”) and under purpose indicate what activities that funding source was intended to fund.

#### Question 3

- *New Program Change* – Applicants cannot receive reimbursement from SAG to pay for site investigation costs that would qualify for PECFA. If a property has some contamination that would be PECFA eligible and other contamination that would not be eligible for PECFA, the SAG can be used to investigate the non-PECFA eligible contamination on the property, or pay for other eligible, not-SI activities.

#### Question 4

- All applicants are required to provide a map with their application as Attachment 4 that indicates the location of their site or facility. The map should be at a close enough scale to indicate the site in relation to local roads.

#### Question 5 (Attachment 7)

- **The final, approved resolution must be included with the application or submitted no later than 30 days after the application due date.**

The resolution must:

- authorize the applicant to submit an application and specifically refers to the Brownfields Site Assessment Grant;
- designates an authorized representative to act on behalf of the applicant (the representative should be referred to by title as well as name and should be an elected official, an officer or an employee of the applicant);
- commit the applicant to complete the activities listed in the application and maintain appropriate records;
- grant the Department of Natural Resources access to the site or facility and grant records;
- be adopted by the governing body of the local governmental unit that submitted the application; and
- be **signed** by the appropriate person who can sign a resolution for the local government

who submitted the application (clerk, president of board, town chairperson, mayor, etc.).

- If the resolution does not meet all these criteria it may be deemed inadequate and the application will not be eligible for funding. A sample resolution is included as page 20 of this application packet.

### **Section 10: Certification**

- By signing this section of the form, the authorized representative certifies that:
  - (1) a reasonable effort has been made to obtain the information requested on the form; and
  - (2) all answers and information given are true to the best of her or his knowledge.

### **Section 11: Summary of Attachments**

- The list of attachments is intended to help applicants organize a complete application and to expedite a review of the application.
- Attachments 1, 2, 3, 4 and 7 must be included for the application to be considered complete. Attachments 5 and 6 refer to scoring questions in Sections 5 and 6 of the application. They must be included if the applicant desires points for these questions.

This document may contain some information about certain state statutes and rules but does not necessarily include all of the details found in the statutes/rules. Readers should consult the actual language of the statutes/rules to answer specific questions.

The Wisconsin Department of Natural Resources provides equal opportunity in its employment, programs, services, and functions under an Affirmative Action Plan. If you have any questions, please write to Equal Opportunity Office, Department of Interior, Washington, D.C. 20240.

This publication is available in alternative format upon request. Please call 608-267-3543 for more information.



## Sample Resolution

### Resolution of (Applicant)

A RESOLUTION authorizing the submittal of a state grant application by the (Authorized Representative) and the subsequent appropriation of (Applicant) funds for a Brownfield Site Assessment Grant.

WHEREAS, (Applicant) recognizes that the remediation and redevelopment of brownfields is an important part of protecting Wisconsin's resources; and

WHEREAS, in this action the (Applicant) Board has declared its intent to complete the Brownfield Site Assessment Grant activities described in the application if awarded funds; and

WHEREAS, the (Applicant) will maintain records documenting all expenditures made during the Brownfield Site Assessment Grant period; and

WHEREAS, the (Applicant) will allow employees from the Department of Natural Resources access to inspect the grant site or facility and grant records; and

WHEREAS, the (Applicant) will submit a final report to the Department which will accompany the final payment request.

IT IS, THEREFORE RESOLVED THAT:

The (Applicant) Board requests funds and assistance available from the Wisconsin Department of Natural Resources under the Brownfield Site Assessment Grant Program and will comply with state rules for the program; and

HEREBY AUTHORIZES the (Authorized Representative) to act on the behalf of the (Applicant) to: submit an application to the State of Wisconsin for financial aid for Brownfield Site Assessment Grant purposes, sign documents, and take necessary action to undertake, direct, and complete approved grant activities.

Adopted this day \_\_\_\_\_ of \_\_\_\_\_, 20\_\_\_\_  
By a vote of: \_\_\_\_\_ in favor, \_\_\_\_\_ opposed, and \_\_\_\_\_ abstain

BY: \_\_\_\_\_ secretary/clerk of (Applicant)